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12 FACEBOOK, INC.

13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA  
15 SAN JOSE DIVISION  
16

17 FACEBOOK, INC.,

18 Plaintiff,

19 v.

20 POWER VENTURES, INC. a Cayman Island  
21 corporation, STEVE VACHANI, an individual;  
DOE 1, s/b/a POWER.COM, DOES 2-25,  
22 inclusive,

23 Defendants.  
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Case No. 5:08-cv-05780-LHK

**FACEBOOK INC.'S MOTION FOR  
ADMINISTRATIVE RELIEF TO FILE  
UNDER SEAL, PURSUANT TO LOCAL  
RULE 79-5(C)**

Dept: Courtroom 8, 4th Floor  
Judge: Hon. Judge Lucy H. Koh

Pursuant to Civil Local Rule 79-5(c), Facebook, Inc. (“Facebook”) respectfully submits this Motion for Administrative Relief to File under Seal portions of Facebook’s Supplemental Memorandum of Points and Authorities in Support of Request for Injunctive Relief (“Supplemental Memorandum”). This Motion is accompanied by the Declaration of Morvarid Metanat in Support of Facebook’s Administrative Motion (“Metanat Declaration”) as well as the attached proposed order.

Per the Court’s November 28, 2011 Order (Dkt. No. 182), portions of the Declaration of Joseph Cutler in Support of Facebook’s Motion for Partial Summary Judgment for Liability under the CAN-SPAM Act (“Cutler Declaration,” Dkt. No. 213-2) were previously sealed. Facebook had designated these portions as “Highly Confidential—Attorneys’ Eyes Only,” pursuant to the parties February 4, 2011 Protective Order (Dkt. No. 95). It remains that the Cutler Declaration contains commercially sensitive and propriety information that has not been disclosed publicly and as described in the Metanat Declaration attached hereto, a compelling need remains to maintain the secrecy of such information. Therefore, Facebook respectfully requests that the Court grant its Motion for Administrative Relief to Seal these portions of its Supplemental Memorandum, as detailed in the Metanat Declaration.

Dated: August 1, 2013

ORRICK, HERRINGTON & SUTCLIFFE LLP

By: /s/ Morvarid Metanat  
MORVARID METANAT  
Attorneys for Plaintiff  
FACEBOOK, INC.

**CERTIFICATE OF SERVICE**

I hereby certify that the document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants as follows:

By transmitting via electronic mail to the email addresses set forth below before 5:30 p.m. on August 1, 2013.

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Dated: August 1, 2013

/s/ Morvarid Metanat  
Morvarid Metanat